

# Planning Board

## Application for Special Permit & Site Plan Review

2016 FEB 26 AM 11:28

### Form A

RECEIVED  
TOWN CLERK  
TOPSFIELD, MA

Before you file this application, it is necessary that you be familiar with the requirements for filing plans and other materials in support of this application as specified in the Topsfield Zoning Bylaws, scenic road Bylaw, Stormwater & Erosion Control Bylaw and the respective Planning Board Rules and Procedures that are available from the Town Clerk and Community development Coordinator as well as the Town website at [www.topsfield-ma.gov](http://www.topsfield-ma.gov).

Incomplete applications will not be considered unless waivers are previously obtained from the Planning Board.

#### SPECIAL PERMIT FEES:

Business Park Use Permits	\$200.00	
Elderly Housing Special Permits	\$1000.00	(New construction EHD see Site Plan Review fees listed below)
Common Drive	\$100.00	
✓ Accessory Apartment	\$100.00	
Groundwater Protection District		
Wind Energy Conversion System – Small Scale	\$200.00	
Ground Mounted Solar Photovoltaic Installations	\$200.00	
Scenic Road		
Stonewall Removal	\$75.00	
Tree Removal	\$75.00	
Stormwater & Erosion Control	\$100.00 plus 4.0030 times the total square footage of the area to be altered by the project; see exemptions under regulations	

#### SITE PLAN REVIEW:

##### 1). Coverage Fee

\$100/5,000 sq. ft. or any portion thereof of new/altered lot disturbance (the total square footage of all new/altered building footprints, plus all paved surfaces, septic installations and stormwater management systems).

\_\_\_\_\_ sq. ft. ÷ 5,000 sq. ft. x \$100 = \_\_\_\_\_ area of new/altered coverage

##### 2). Gross Floor Area Fee

\$200/5,000 square feet or any portion thereof of new/altered Gross Floor Area (gross floor area – the total square footage of all new floor area on all levels of all new or existing buildings).

\_\_\_\_\_ sq. ft. ÷ 5,000 sq. ft. x \$200 = \_\_\_\_\_ area of new/altered gross floor area

Coverage Fee	\$ _____
Gross Floor Area Fee	\$ _____
Total Site Plan Review Fee	\$ _____

## NATURE OF APPLICATION:

- ☒ Petition for Special Permit pursuant to Article 7, Section 703 of the Zoning Bylaw.
- ☐ Petition for Finding pursuant to Article \_\_\_\_\_, Section \_\_\_\_\_ of the Bylaw.
- ☐ Petition for Site Plan Review pursuant to Article IX of the Zoning Bylaw (and the Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw; and Supplement Form C for submitted requirements and formats).
- ☐ Petition for a Scenic Road Permit pursuant to Chapter LV.
- ☐ Petition for a Stormwater & Erosion Control Permit pursuant Chapter LI.

## DESCRIPTION OF APPLICANT:

- a. Name Anne Trevenen
- b. Address 45 Wenham Road
- c. Phone Number 978-887-4022
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) owner  
(Attach copy of lease and/or letter of authorization from owner, if applicable)

## DESCRIPTION OF PREMISES:

- a. Assessor's Map \_\_\_\_\_, Lot(s) \_\_\_\_\_, Zoning District ORA
- b. Location of Premises (number and street) 45 Wenham Rd.
- c. Name and address of legal owner (if different from Applicant) same
- d. Deed to the Premises recorded at (if known):  
☒ Essex South District Registry of Deeds, Book \_\_\_\_\_ Page \_\_\_\_\_  
☐ Essex South Registry District of the Land Court, Certificate Number \_\_\_\_\_
- e. Prior zoning decisions affecting the Premises (if any):  
Date of Decision \_\_\_\_\_ Name of Applicant \_\_\_\_\_  
Nature of Decision N/A
- f. Present use of the Premises residence
- g. Present structures conform to current Zoning Bylaw. Yes ☒ No. If no, in what respect does it not conform.  
non-permitted in-law apartment  
(predates by-law - is built according  
to approved building permit at the time  
+ final inspection by Glenn Clooney)

## PROPOSAL (attach additional sheets if necessary):

- a. General Description:

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## b. If proposal is for construction or alteration of an existing structure, please state:

	FRONT	REAR	SIDE(S)
1. Setbacks required per bylaw	_____	_____	_____
2. Existing setbacks	_____	_____	_____
3. Setbacks proposed	_____	_____	_____
	FRONTAGE	AREA	
4. Frontage and area required by bylaw	_____	_____	N/A
5. Existing frontage (s) and area	_____	_____	
6. Frontage (s) and area proposed	_____	_____	
	FEET	STORIES	
7. Existing Height	_____	_____	
8. Height proposed	_____	_____	

## c. Other town, state or federal permits or licenses required, if any:

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## NECESSARY ACCOMPANYING DATA:

It is required that every application be accompanied by appropriate supporting data. Failure to submit appropriate and complete data could result in delay and/or denial of application for zoning relief. Place a check next to the applicable accompanying supporting data:

## Variance of Special Permit Applications:

(See Planning Board Rules and Procedures Section III)

All required supporting data attached ☐ Yes ☐ No

## Site Plan Review Applications:

(See Town of Topsfield Zoning Bylaw, Article IX, Section 9.05. See also Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw)

All required supporting data attached ☐ Yes ☐ No

## Comprehensive Permit Applications:

(See G.L.c. 40B, Sections 20-23)

All required supporting data attached ☐ Yes ☐ No

## Appeals from decisions of Building Inspector or Others:

(See Planning Board Rules and Procedures, Section III (I) (e))

All required supporting data attached ☐ Yes ☐ NoIf all required supporting data is not attached, why not:

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Date

2/19/14

Signature of Applicant

Anne B. Trevered

**TOWN OF TOPSFIELD**

**SPECIAL PERMIT APPLICATION TO THE PLANNING BOARD**  
**FOR FAMILY ACCESSORY APARTMENT**

1. Applicant(s): (This application must be signed by all owners as identified in the deed attached to this application).

<u>Name</u>	<u>Address</u>
Anne Trevenen	45 Wenham Road
_____	_____
_____	_____

☒ Deed attached

2. Property Address: 45 Wenham Rd

3. Registry of Deeds Title Reference: Book 25195, Page 60

4. Attach list of all abutters within 300 feet of each lot line to whom notice of the application shall be given.

5. State the names and ages of all occupants of the main dwelling.

<u>Name</u>	<u>Age</u>	<u>Name</u>	<u>Age</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. State the names and ages of all proposed occupants of the family accessory apartment.

<u>Name</u>	<u>Age</u>	<u>Name</u>	<u>Age</u>
Frances Bernays	77	_____	_____

7. State the identity of and the family or other relationship between the owner or occupant of the main dwelling and the owner or occupant of the Family Accessory Apartment upon which this application is based.

mother

8. State the reason for the Family Accessory Apartment. (Article VII § 7.03 of the bylaw requires that the primary purpose of the Family Accessory Apartment shall be to maximize privacy, dignity, and independent living among the occupants of the main dwelling and the Family Accessory Apartment).

☒ Amnesty requested.

Structure was completed for  
occupancy in 1999

9. State estimated cost of all improvements to create the Family Accessory Apartment.

10. State whether improvements include structural work, and if so describe them.

11. State the description and frequency of the personal care assistance to be provided.

12. State whether the occupant(s) of the Family Accessory Apartment will make any financial contribution to the applicants and if so explain in detail. (Article VII § 7.03 of the bylaw prohibits generating income as a primary purpose of the Family Accessory Apartment).

☐ Yes

☒ No

If yes, state amount, frequency and explain in detail.

13. Attach scaled drawings of the floor plan of the existing main dwelling and the proposed Family Accessory Apartment including elevations if exterior modifications are proposed.

☐ Floor plan attached

☐ Elevation attached

14. Attach written certification by the Board of Health that the sewage disposal system has sufficient capacity to accommodate the occupants the Family Accessory Apartment.

☐ Board of Health certification attached

15. Identify the zoning district and present use of the subject property and the commencement date of that use.

need to get  
from sue  
Winston

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By signing this application, all applicants verify that all purposes, procedures and requirements as set forth in the bylaw have been fulfilled and covenant that the use of the Family Accessory Apartment shall forthwith be discontinued upon termination as provided by the bylaw.

Dated: 2/22/17

Ann B. Trevesen

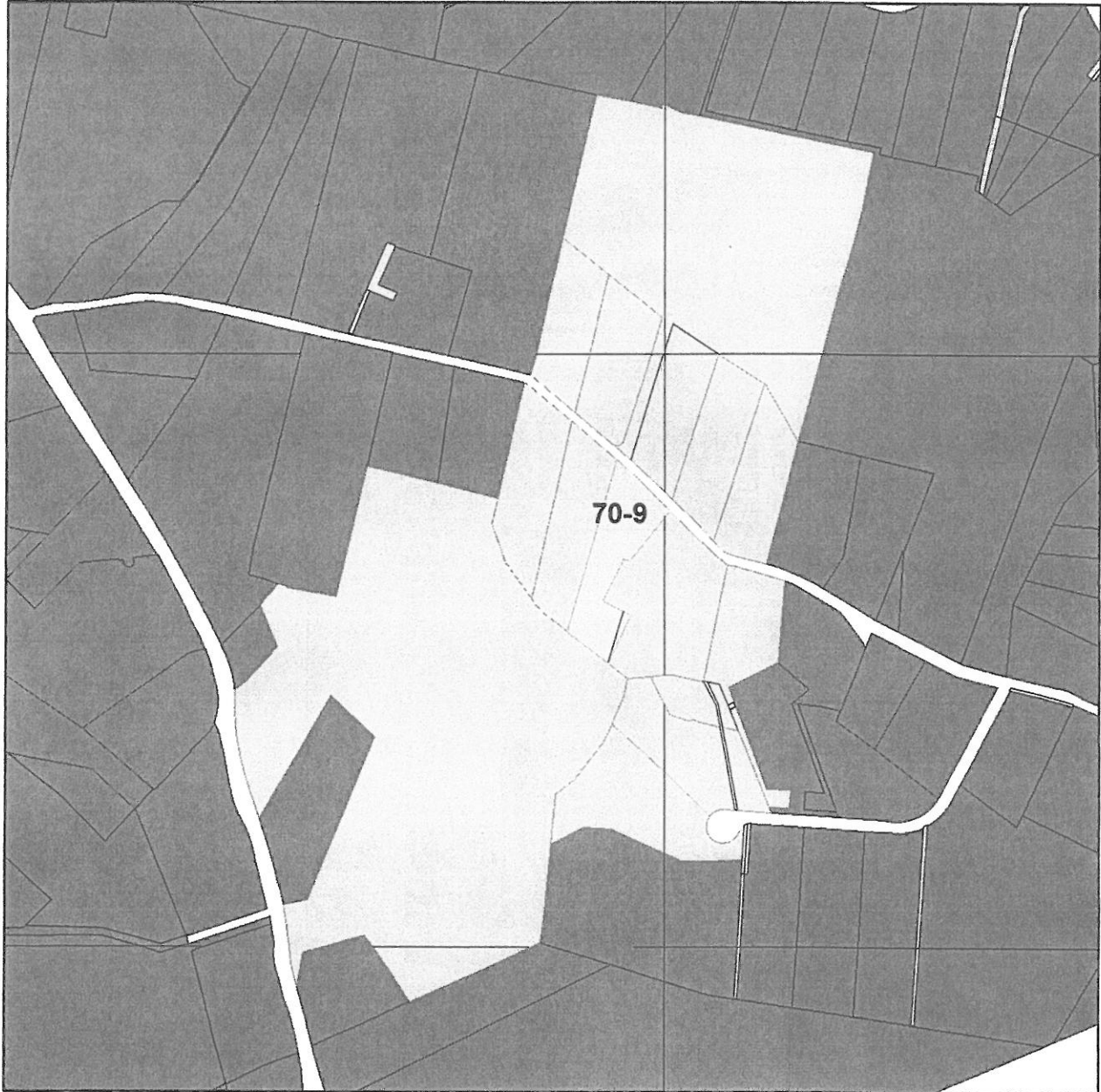
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FEB 20 2014  
TOPSFIELD ASSESSORS

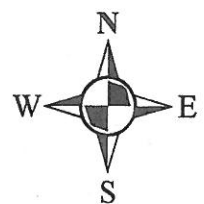
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70-9



GEOGRAPHIC INFORMATION SYSTEM  
VISION APPRAISAL TECHNOLOGY





# TOPSFIELD, MA

ABUTTER	Lot	Cut Location	OWNERS NAME	CO OWNERS NAME	Mailing Address
Map	Block	Lot			
70	8	128 SALEM RD	DWINELL EVELYN H & SCOTT L TRS	EVELYN H DWINELL IRREVOCABLE TR	132 SALEM RD
70	9	45 WENHAM RD	TREVENEN ANNE B		45 WENHAM RD
70	10	41 WENHAM RD	LACHMAYR ALEX TR	LACHMAYR FAMILY REALTY TR	14 FEDERAL STREET
70	11	37 WENHAM RD	PETTENGILL STEVEN C	PETTENGILL VIRGINIA C	37 WENHAM RD
70	14	38 WENHAM RD	COLSMAN ECKART E	COLSMAN TILDA	38 WENHAM RD
70	15	42 WENHAM RD	MALOY STEVEN R	MALOY DEBORAH D	42 WENHAM RD
70	16	46 WENHAM RD	CLARK HENRY W & SHARON P TRS	CLARK S T LIV TR & CLARK H W LIV TR	46 WENHAM RD
70	18	109 SALEM RD	MOONEY PETER B	MOONEY SUZANNE B	103 SALEM RD
71	8	21 SLEEPY HOLLOW RD	TWEEDY DORIS E		21 SLEEPY HOLLOW RD
71	10	19 SLEEPY HOLLOW RD	NAGLE ALEXANDER	NAGLE JESSICA	19 SLEEPY HOLLOW RD
71	17	59 WENHAM RD	FLANAGAN WALTER A	FLANAGAN MAUREEN A	59 WENHAM RD
71	18	51 WENHAM RD	ROCKWELL HELEN M		51 WENHAM RD
71	19	52 WENHAM RD	POOLE DANIEL D	POOLE PAMELA A	52 WENHAM RD
71	20	54 WENHAM RD	CREGG DONALD J	CREGG MARJORIE GILMORE	54 WENHAM RD

# TOPSFIELD, MA

OWNERS NAME	CO OWNERS NAME	Mailing Address	City	St Zip
DWINELL EVELYN H & SCOTT L TRS	EVELYN H DWINELL IRREVOCABLE TR	132 SALEM RD	TOPSFIELD	MA 01983
TREVENEN ANNE B		45 WENHAM RD	TOPSFIELD	MA 01983
LACHMAYR ALEX TR	LACHMAYR FAMILY REALTY TR	14 FEDERAL STREET	READING	MA 01867
PETTENGILL STEVEN C	PETTENGILL VIRGINIA C	37 WENHAM RD	TOPSFIELD	MA 01983
COLSMAN ECKART E	COLSMAN TILDA	38 WENHAM RD	TOPSFIELD	MA 01983
MALOY STEVEN R	MALOY DEBORAH D	42 WENHAM RD	TOPSFIELD	MA 01983
CLARK HENRY W & SHARON P TRS	CLARK S T LIV TR & CLARK H W LIV TR	46 WENHAM RD	TOPSFIELD	MA 01983
MOONEY PETER B	MOONEY SUZANNE B	103 SALEM RD	TOPSFIELD	MA 01983
TWEEDY DORIS E		21 SLEEPY HOLLOW RD	TOPSFIELD	MA 01983
NAGLE ALEXANDER	NAGLE JESSICA	19 SLEEPY HOLLOW RD	TOPSFIELD	MA 01983
FLANAGAN WALTER A	FLANAGAN MAUREEN A	59 WENHAM RD	TOPSFIELD	MA 01983
ROCKWELL HELEN M		51 WENHAM RD	TOPSFIELD	MA 01983
POOLE DANIEL D	POOLE PAMELA A	52 WENHAM RD	TOPSFIELD	MA 01983
CREGG DONALD J	CREGG MARJORIE GILMORE	54 WENHAM RD	TOPSFIELD	MA 01983

Set

**QUITCLAIM DEED**

We, Thomas Trevenen, of 30 Rantoul Street, Beverly, Massachusetts, and Anne B. Trevenen, of 45 Wenham Road, Topsfield, Massachusetts

for nominal consideration and in accordance with Divorce Agreement dated 12/16/05, Docket No. 05D-1226-DV1, and filed in the Essex Probate and Family Court, Salem, Massachusetts

grant to Anne B. Trevenen, individually, of 45 Wenham Road, Topsfield, Massachusetts

**with quitclaim covenants**

that certain parcel of land with buildings thereon on the southwesterly side of Wenham Road in said Topsfield, Massachusetts, known as 45 Wenham Road, Topsfield, Essex County, Massachusetts as shown as Lot 10, Parcel A and Parcel D on "Plan of Land in Topsfield, Property of Warren F. Rockwell et al" dated October 21, 1965, by Essex Survey Service, recorded in Plan Book 89, Page 74 and further described as:

Commencing at the Northeasterly corner of said Parcel A, at a point in the Southwesterly side line of Wenham Road which point is distant two hundred fifty (250) feet southeasterly from a drill hole in a stone wall on said Wenham Road;

Thence running South 46° 00' 34" West, two hundred sixty three and 61/100 (263.61) feet to a point;

Thence turning and running Northwesterly twenty (20.00) feet to a drill hole in a stone wall, which point is the Northerly corner of Parcel C as shown on the above referenced Plan of Land;

Thence turning and running South 37° 45' 50" West, one hundred sixty and 05/100 (160.05) feet to a stake, which is at the Southwesterly corner of said Parcel C;

Thence turning and running South 51° 06' 20" East, one hundred seven and 96/100 (107.96) feet to a stake, which is at the Northeasterly corner of said Parcel D;

Thence turning and running South 37° 06' 40" West, one hundred seventy-nine and 79/100 (179.79) feet to a point, being the Southwesterly corner of said Parcel D, at land now or formerly of Wellman;

Thence turning and running Northwesterly, by land now or formerly of Wellman, one hundred seventy-seven and 62/100 (177.62) feet to a stake at land now or late of Hammer;

Thence turning and running Northeasterly by land now or formerly of Hammer, six hundred four and 35/100 (604.35) to a drill hole in a stone wall on said Wenham Road;

Locus: 45 Wenham Rd.  
Topsfield


Thence turning and running Southeasterly along Wenham Road, two hundred fifty (250) feet to point of beginning;

Being the same premises conveyed to us by Frances H. Bernays by deed dated January 7, 1999, recorded with the Essex County Registry of Deeds in Book 15388, Page 123, and the same is hereby conveyed subject to all conditions set forth in said deed and with the benefit of the matters referred to therein, and subject also to any grants of easement on record, including an easement to New England Telephone & Telegraph Company and Massachusetts Electric Company, dated November 20, 1963, recorded with said Deeds at Book 5143, Page 654.

Subject to a mortgage to Countrywide Mortgage.

WITNESS our hands and seals this 16<sup>th</sup> day of December, 2005.

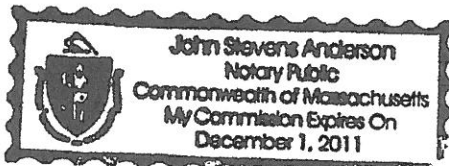
  
Thomas Trevenen

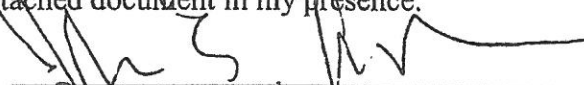
  
Anne B. Trevenen

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 16 day of December, 2005, before me, the undersigned notary public, personally appeared Thomas Trevenen, proved to me through satisfactory evidence of identification, which was per knowledge of Notary, to be the person whose name is signed on the preceding or attached document in my presence.



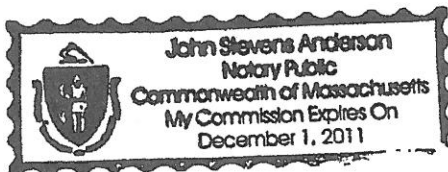
  
(Official signature and seal of notary)

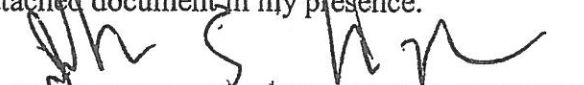
My commission expires: 12-1-2011

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 16 day of December, 2005, before me, the undersigned notary public, personally appeared Anne B. Trevenen, proved to me through satisfactory evidence of identification, which was per knowledge of Notary, to be the person whose name is signed on the preceding or attached document in my presence.



  
(Official signature and seal of notary)

My commission expires: 12-1-05

No. R49/98

THE COMMONWEALTH OF MASSACHUSETTS  
TOPSFIELD BOARD OF HEALTH  
CERTIFICATE OF COMPLIANCE

FEE ~~100~~ N/C  
fel

Description of Work:

☐ Individual Component(s)

☒ Complete System

The undersigned hereby certify that the Sewage Disposal System; Constructed ( ), Repaired ( ), Upgraded ( ), Abandoned ( )

by: Trevenin

at 45 Wenham Rd

has been installed in accordance with the provisions of 310 CMR 15.00 (Title 5) and the approved design plans/as-built plans relating to application No. R49/98 dated 9-24-98. Approved Design Flow 550 (gpd)

Installer Stewart Septic

Designer: Hancock Survey

Inspector [Signature]

Date 11-20-98 AS

The issuance of this certificate shall not be construed as a guarantee that the system will function as designed.

FORM 3 - CERTIFICATE OF COMPLIANCE

DEP APPROVED FORM 5/96

Built  
Rec'd